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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/558,900	04/26/2000	Tom R. Vandermeijden	UWP1P029/1131	1580

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EXAMINER

ABEBE, DANIEL DEMELASH

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 07/09/2003

1

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/558,900

Applicant(s)  
Vandermeijden

Examiner  
Daniel Abebe

Art Unit  
2654



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Apr 28, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Brotman" (5,917,889).

As to claims 1, 17, 21 and 22, Brotman teaches a system for inputting data into a wireless (mobile) and wired communication device having keys associated with a plurality of characters, the system for disambiguating the multiple characters associated with the keys by using voice recognition, comprising the steps of:

receiving (using a receiving means) a first ambiguous keypad input and generating keypad patterns (Col.4, lines 36-40; Col.7, lines 37-41);

receiving a second voice input (through a voice input means) associated with the keypad input and generating voice patterns, prior to identifying the intended character; (Col.7, lines 42-45) and

matching the two patterns to disambiguate/identify string of selected keypad character (Col.7, lines 45-46; Col.4, line 16-Col.5, line 25; Fig.3). It is noted that in Brotman, since the user

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is allowed to press all the character at once and spell (speak) each character there after, the characters are not entered simultaneously as claimed. However, Brotman teaches where the decision regarding to the intended keypad character is made only after the voice input is obtained (Col.6, lines 43-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to enter each utterance right after (simultaneously) with the keypad input for the purpose of providing the user an alternative way to enter the characters.

As to claims 2, 5 and 23, Brotman teaches where identifying the command is synchronized with the key (Fig.2).

As to claims 3 and 24-25, Brotman teaches where plurality of characters are associated with each keyboards and one character is selected by voice (Col.4, lines 36-40; Col.4, lines 60-65).

As to claim 4, Brotman teaches where each patterns are associated with the keys (Fig.2).

As to claims 6 and 26, Brotman teaches using speech feature patterns to recognize the utterance (Fig.2).

As to claims 7 and 27, Brotman teaches where plurality of patterns are associated with the keys and selection is made by performing key and voice pattern matching based on the combination of the keypad input and the voice input (Fig.2).

As to claim 8, Brotman teaches where the characters include alphabets and numbers (Fig.1).

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As to claim 18, Brotman teaches where the voice input is made prior to selecting the intended key (Fig.2)

With respect to claims 9, 11-16 and 19-20, given the method as taught by Brotman a corresponding computer readable medium for storing program code and a system same as claimed are inherent.

With respect to claim 10, it is noted the computing system in Brotman's teaching is not integrated in to the telephone. Official Notice is taken that mobile telephones integrated with a system for detecting character inputs are well known in the communication art and it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to integrate the telephone and the system in Brotman's art for the purpose providing quick and personal assistance to the user.

With respect to claims 28-29, Brotman doesn't teach where the voice is inputted without prompting the user, however, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention not to discard the prompt, in Brotman teaching, for the purpose of speeding up the process.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

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The purpose of Brotman patent is for disambiguating alphanumeric character inputs, that are keyed into a communication device, using voice. According to Brotman this is done by using the telephone keypads (means for receiving keypad input), each keypad representing multiple characters and an utterance (received over a microphone) for disambiguating the corresponding keypad inputs. Brotman in its background states "Capturing character string using voice only is not feasible....while using only keypad input only is cumbersome since each keypad represents multiple characters". Brotman went on stating that characters could be accurately captured "by using telephone key input of the intended character and also using (together with) voice signal representative of the intended character to generate selected characters" (Col.1, line 40-45).

Brotman states selecting the intended character involves receiving a key input (where each key input is mapped to the multiple characters, such as the button "2" is mapped to the three characters "ABC") and then receiving an utterance representing the intended character (A or B or C) to select the intended character (Col.3, lines 41-45; Col.5, lines 1-6). According to Brotman decision regarding to the intended keypad character is made only after the voice input is obtained (Col.6, lines 43-45).

The examiner believes that entering the input character-by-character is obvious in view of Brotman. It is clear that Brotman's invention provides the user a more convenient way to input characters than the conventional system where the user is obliged to speak each character every time he/she presses the keys (Col.4, lines 7-11). Brotman does this by allowing the user to press the keys of the respective input first and then spell each character. However it is obvious that

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Brotman's system works for a character input, especially in a situation where the input consists of only a single character.

Applicant seems to ignore the fact that the examiner admitted the obvious difference between the Brotman patent and the claimed invention, specifically, the order of the entry, where Brotman allows the user the flexibility to enter the keys at once and then spell the characters. This difference, the examiner believes, is obvious in view of Brotman's system for the purpose of providing users' an alternative way to enter their characters, as explained above.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

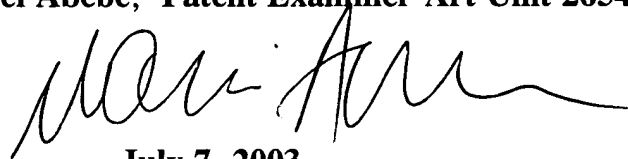
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Any inquiry concerning this communication or earlier communication from the examiner should be directed to Daniel Abebe whose telephone number is (703) 308-5543. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dorris To, can be reached at (703) 305-4827. The facsimile phone number for this group is (703)872-9314.

Any inquiry of general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service office whose telephone number is (703) 306-0377

**Daniel Abebe, Patent Examiner-Art Unit 2654**

A handwritten signature in black ink, appearing to read 'Daniel Abebe', written over a horizontal line.

**July 7, 2003**